



PLANNING COMMISSION AGENDA

JAIME HOLT, Chair

Commission Members
PAUL E. CAPRIOGLIO
RAMA DAWAR
SEROP TOROSSIAN, Vice Chair
ROJELIO VASQUEZ
LUISA MEDINA

Planning and Development
Assistant Director/Secretary
KEITH BERGTHOLD

Deputy City Attorney
SHANNON L. CHAFFIN

The Planning Commission welcomes you to this meeting.

January 13, 2010

Wednesday

6:00 p.m. to 10:00 p.m.

City Hall, Second Floor, COUNCIL CHAMBER, 2600 Fresno Street

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call Planning and Development Department staff at 559-621-8277.

El cuarto de la reunión es accesible a los físicamente incapacitados y los servicios de un traductor pueden ser hechos disponible. Peticiones para servicios adicionales para los incapacitado, los firmantes, aparatos de escuchar o los traductores deben ser hechos una semana antes de la reunión. Por favor llame a el Departamento de la Planificación y el Desarrollo en 559-621-8277.

Chav sablaj muaj rau cov tibneeg xiam ooghab, thiab muaj tibneeg txhaislus rau cov uas xav tau kev pabcuam. Yog thov kev pabcuam rau cov tibneeg xiam ooghab, cov hlua ntsaws pobntseg mloog haislus, los yog tibneeg txhaislus, nej yuav tau hais tuaj ib asthiv los yog ib limpiam ua ntej lub rooi sablaj. Nej hu tau rau peb cov tubtxib ntawm tus xovtooj; 559-621-8277.

Metered parking is in effect throughout the downtown area. The general public wishing to attend a Planning Commission meeting at City Hall may park after 5 p.m. in the parking lot at the northeast corner of Tulare and P Streets or in the parking lot east of City Hall across the railroad tracks. Both parking lots have entrances from Tulare Street, and parking restrictions have been relaxed in these lots for those attending the meeting.

- I. **ROLL CALL**
- II. **PLEDGE OF ALLEGIANCE**

III. PROCEDURES

For each matter considered by the Commission, there will first be a staff presentation, followed by a presentation from the project applicant. Testimony from supporters of the project will then be taken, followed by testimony from those in opposition. The applicant will have the right to a final rebuttal presentation prior to closing the public hearing.

In accordance with Section 13 of Article 2 of the Planning Commission Rules and Regulations governing length of public debate, all public testimony from those in support and in opposition of the project will be limited to three minutes per person. The three lights on the podium next to the microphone will indicate the amount of time remaining for the speaker. The green light will be turned on when the speaker begins. The yellow light will come on with a soft bell ring when one minute is remaining. The speaker should be completing the testimony by the time the red light comes on with a final bell indicating time has expired. All public testimony must be presented to the Commission at the podium. Any testimony that references race, religion, economic status, national origin, shall be deemed out of order, irrelevant and will not be considered by the Commission in making its land use determinations.

If you challenge these land use matters in court, you may be limited to raising only those issues you or someone else raised in oral or written testimony at or before the close of the hearing.

IV. AGENDA APPROVAL

- A. Consent Calendar Requests
- B. Continuance Requests
- C. Other Agenda Changes

V. CONSENT CALENDAR

All Consent Calendar items are considered by the Planning Commission to be routine and will be enacted in one motion. There will be no separate discussion of these items unless requested, in which event the items will be removed from the Consent Calendar and considered prior to approval of the Consent Calendar. If any member of the public wishes to have a specific item removed for discussion, be present when the meeting is called to order and the Chair announces the Consent Calendar. Commission approval of Consent Calendar items for which there is no discussion shall constitute adoption of the staff recommendation.

- A. Minutes – Meeting Minutes of December 9, 2009
- B. Communications
- C. Entitlements

VI. REPORTS BY COMMISSIONERS

VII. CONTINUED MATTERS

A. CONTINUED FROM DECEMBER 16, 2009

Consideration of an appeal of the Planning and Development Department Interim Director's approval of Conditional Use Permit Application No. C-09-58, and environmental findings, filed by Complete Wireless Consulting, on behalf of Verizon Wireless, pertaining to approximately 403 square feet of leased R-1 zoned property within an existing 0.39 acre City of Fresno Water Pump Station No. 153 located on the north side of East Butler Avenue between South Peach and South Minnewawa Avenues at 5339 East Butler Avenue.

1. Environmental Assessment No. C-09-58 determination of Class 3 and 32 Categorical Exemption from the requirements of the California Environmental Quality Act (CEQA) Guidelines (CEQA Guidelines Sections 15303 and 15322).
2. Conditional Use Permit Application No. C-09-58 proposes the installation of an unmanned telecommunications tower consisting of 12 antennas mounted inside a radome enclosure on a brown 80-foot high slimline monopole and the construction of a 12-foot by 20-foot equipment shelter adjacent to the base of the cell tower on leased property within City of Fresno Water Pump Station No. 153. The proposed facility will meet FAA and FCC requirements.
 - Roosevelt Community Plan
 - Butler Willow Area Specific Plan
 - Council District 5 (Councilmember Dages)
 - Staff Member: Kevin Fabino
 - Staff Recommendation: Deny Appeal, Uphold Director's Action of Approval
 - May be considered by City Council

B. REFER BACK TO STAFF

Consideration of Rezone Application No. R-07-074-B and environmental findings, filed by Michael L. Thomason pertaining to approximately 8.6 acres of property located east of the southeast corner of West Herndon and North Blythe Avenues (just east of the existing Blood Center).

1. Environmental Assessment No. R-07-074/S-08-003 recommends that a Finding of Conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR No. 10130) be adopted for the proposed rezone request.
2. Rezone Application No. R-07-074-B proposes to rezone the subject property from the AE-5/UGM (*Exclusive Five Acre Agriculture /Urban Growth Management*) zone district to the C-P/EA/UGM/cz (*Administrative and Professional Office/Expressway Area Overlay/Urban Growth Management/conditions of zoning*) zone district.
 - Bullard Community Plan
 - Council District 2 (Councilmember Borgeas)
 - Staff Recommendation: Recommend Approval
 - Staff Member: Bonique Salinas
 - Will be considered by City Council

VII. CONTINUED MATTERS – (Continued)

C. CONTINUED FROM DECEMBER 16, 2009

Consideration of Plan Amendment Application No. A-09-08 and Rezone Application No. R-09-16, environmental findings and related conditional use permit filed by Clifford Tutelian of Park Place Holdings, LP, and pertains to approximately 18 acres of property located on the southwesterly corner of West Nees and North Palm Avenues.

1. Environmental Assessment No. A-09-08/R-09-016/C-09-230 to adopt a Mitigated Negative Declaration for Plan Amendment Application No. A-09-016 and Rezone Application No. R-09-08.
2. Plan Amendment Application No. A-09-08 proposes to amend the 2025 Fresno General Plan and the Bullard Community Plan from the office commercial planned land use designation to the community commercial land use designation.
3. Rezone Application No. R-09-016 requests to reclassify the site from C-M/cz (*Commercial and Light Manufacturing/conditions of zoning*) and C-P/UGM/cz (*Administrative and Professional Office/Urban Growth Management/conditions of zoning*) zone districts to the C-2/UGM/cz (*Community Shopping Center/Urban Growth Management/conditions of zoning*) zone district.
 - Bullard Community Plan
 - Council District 2 (Councilmember Borgeas)
 - Staff Recommendation: Recommend Approval
 - Staff Member: Sophia Pagoulatos
 - Will be considered by the City Council

D. CONTINUED FROM DECEMBER 16, 2009

Consideration of Conditional Use Permit Application No. C-09-185 and environmental findings filed by Paulith Boutah and relates to a proposed nightclub (Million Elephant Bar 2) located on the southwest corner of North Fulton Street and East Olive Avenue (1145 North Fulton Street)

1. Environmental Assessment No. C-09-185 determination of a Class 1 Categorical Exemption from the requirements of the California Environmental Quality Act (CEQA Guidelines Section 15301).
2. Conditional Use Permit Application No. C-09-185 requests authorization to establish a State of California, Alcohol Beverage Control license to sell beer, wine and spirits for on-premises consumption (ABC Type 48) within a proposed nightclub. The subject site is zoned C-6 (*Heavy Commercial*).
 - Fresno High-Roeding Park Community Plan and Tower District Specific Plan
 - Council District 3 (Councilmember Sterling)
 - Staff Recommendation: Recommend Approval
 - Staff Member: David Braun
 - May be considered by the City Council

VIII. NEW MATTERS

- A. Consideration of Rezone Application No. R-09-010 and environmental findings filed by Richard Sepulveda, and pertains to approximately 0.26 acres of property located on the north side of East Ventura Avenue between South Third and South Fourth Streets (3319 East Ventura Avenue).
1. Environmental Assessment No. R-09-010 recommends that a Finding of Conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR No.10130) be adopted with the proposed rezone request.
 2. Rezone Application No.R-09-010 proposes to rezone the subject property from the R-1 (*Single Family Residential*) zone district to the C-P (*Administrative & Professional Office*) zone district.
 - Roosevelt Community Plan
 - Council District 5 (Councilmember Dages)
 - Staff Recommendation: Recommend Approval
 - Staff Member: Mike Sanchez
 - Will be considered by the City Council

IX. REPORT BY SECRETARY

X. SCHEDULED ORAL COMMUNICATIONS

XI. UNSCHEDULED ORAL COMMUNICATIONS

You may address the Planning Commission at the conclusion of the Commission meeting regarding matters of public interest that are not listed on the agenda and that are within the Commission's jurisdiction. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on the Planning Commission agenda should contact the Planning and Development Department, (559) 621-8277, at least 10 days before the desired appearance date.

XII. ADJOURNMENT

UPCOMING MATTERS
(Dates subject to change)